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May 11, 2016

**Via ECF**

The Honorable William H. Walls  
MLK 4D  
Martin Luther King Building & U.S. Courthouse  
50 Walnut St.  
Newark, New Jersey 07102

**Re: Malibu Media, LLC v. Robert Waller Civil Action No.:2:15-cv-03002-WHW-CLW**

Dear Judge Walls:

Please be advised that Plaintiff, Malibu Media, LLC, has not filed its brief, pursuant to L. Civ. R. 7.1(d)(2), in opposition of Defendant, Robert Waller's Memorandum of Law in Support of a Motion to Dismiss for Failure to State a Claim, which has a designated return date of May 16, 2016, nor has Plaintiff requested an extension of time, pursuant to L. Civ. R. 6.1(a). As such, the period in which Plaintiff's opposition brief was to be filed expired on April 22, 2016. Therefore, under these circumstances, Defendant maintains his Motion to Dismiss, and as such the dismissal of Plaintiff's Amended Complaint. That said, Defendant respectfully notifies the Court, pursuant to L. Civ. R. 7.1(d)(4), that a reply brief is not necessary in this instance.

Very truly yours,

/s/Patricia Lawrence Kolaras  
Patricia Lawrence Kolaras, Esq.

**CERTIFICATE OF SERVICE**

I hereby certify that on, May 11, 2016, I electronically filed the foregoing document with the Clerk of Court and all parties using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

By: /s/ Patricia Lawrence-Kolaras  
Patricia Lawrence-Kolaras, Esq.